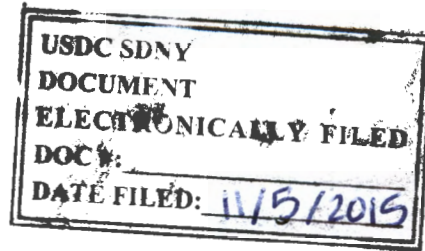


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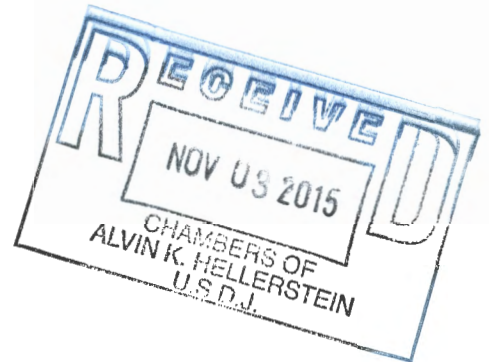
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November 2, 2015

VIA HAND DELIVERY

The Honorable Alvin K. Hellerstein
United States Court House—Room 1050
500 Pearl Street
New York, New York 10007



Re: **Fox News Network, LLC v. TVEyes, Inc., 13-cv-5315**

Dear Judge Hellerstein:

We represent Defendant TVEyes, Inc. ("TVEyes") in the above-referenced action. Pursuant to the Court's order dated October 27, 2015 [Dkt. 181], the parties submit a revised request for permission to file the Joint Submission Addressing Issues Raised In the Court's August 25, 2015 Opinion and Order ("Joint Submission") on the public record with redactions.

Portions of the Joint Submission and certain annexes thereto contain confidential information about proposed changes to TVEyes' service and proprietary information about how those changes would be achieved by TVEyes from a technical stand point. Making this highly sensitive business and technical information available to the public and, in particular, to TVEyes' competitors, would cause significant competitive harm to TVEyes. See *Bergen Brunswick Corp. v. Ivax Corp.*, 1998 WL 113976, at *3 (S.D.N.Y. Mar. 12, 1998) (recognizing that "[p]otential damage from the release of sensitive business information" is "a ground for denying access to court documents"); see also *Gelb v. Am. Tel. & Tel. Co.*, 813 F. Supp. 1022, 1035 (S.D.N.Y. 1993) (granting motion to seal exhibits pursuant to Rule 26(c) based on their potential to cause commercial harm).

*Redactions and filing
as described in Annex A
are approved.
11-5-15*

[Signature]

Accordingly, enclosed hereto as **Annex A** are the pages of the Joint Submission that TVEyes and Fox News seek to redact (with the proposed redactions indicated with boxes). In addition, the parties request permission to file **Fox News Annex 3** and **Fox News Annex 9** to the Joint Submission under seal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'JR' followed by a stylized flourish.

Jessica Rose

cc: Plaintiff's counsel of record (via email)